

IN THE COURT OF APPEALS OF THE STATE OF NEVADA

DAVID MARTINEZ,
Petitioner,
vs.
NDOC; AND BRIAN WILLIAMS,
WARDEN,
Respondents.

No. 75126

FILED

MAY 15 2018

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY S. Young
DEPUTY CLERK

ORDER DENYING PETITION

This original petition for a writ of habeas corpus seeks an order directing the Nevada Department of Corrections to apply statutory credits to David Martinez' minimum term of imprisonment. We have considered the petition on file herein, and without deciding upon the merits of any claims raised, we decline to exercise our original jurisdiction in this matter. *See Pan v. Eighth Judicial Dist. Court*, 120 Nev. 222, 228, 88 P.3d 840, 844 (2004) ("Petitioner[] carr[ies] the burden of demonstrating that extraordinary relief is warranted."). A postconviction petition for a writ of habeas corpus filed in the district court in the county in which the petitioner is incarcerated "[i]s the only remedy available to an incarcerated person to challenge the computation of time that the person has served pursuant to a judgment of conviction." NRS 34.724(2)(c); *see also* NRS 34.738(1). Accordingly, we

ORDER the petition DENIED.

Silver, C.J.
Silver

Tao, J.
Tao

Gibbons, J.
Gibbons

cc: David Martinez
Attorney General/Carson City
Eighth District Court Clerk